

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DANIEL BRONSON,

Plaintiff,

v.

SOUTHWEST OHIO REGIONAL
TRANSIT AUTHORITY,

Defendant.

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Case No. 1:23-cv-69

Judge Jeffery P. Hopkins

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation issued by Magistrate Judge Stephanie K. Bowman on March 10, 2023. Doc. 5. After performing an initial screen of Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2), the Magistrate Judge recommended that the Court dismiss Plaintiff's Complaint because it is legally frivolous and fails to state a claim on which relief may be granted. Doc. 5, PageID 34.

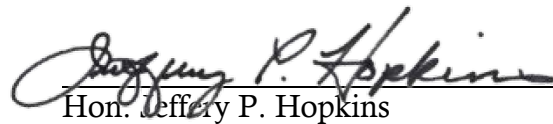
The Court has reviewed Plaintiff's Complaint and the Report and Recommendation. Noting that no objections have been filed and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, the Court **ADOPTS** the Report and Recommendation in its entirety.¹ Accordingly, the Complaint (Doc. 4) is hereby **DISMISSED** with prejudice. Plaintiff is advised that should he continue to file frivolous cases in this Court, the Court is likely to impose sanctions to deter further abusive or vexatious conduct.

¹ The Clerk mailed a copy of the Report and Recommendation to Plaintiff's address of record, but the mail was returned as undeliverable. *See* Doc. 6. Plaintiff has not notified the Court of any recent change in address and the Court has allowed ample time for him to do so.

Additionally, for the reasons stated in the Report and Recommendation and pursuant to 28 U.S.C. § 1915(a)(3), the Court **CERTIFIES** that an appeal of this Order would lack an arguable basis in law or in fact and thus would not be taken in good faith. The Court therefore **DENIES** Plaintiff leave to appeal *in forma pauperis*. In accordance with Fed. R. App. P. 24(a)(5), Plaintiff remains free to file a motion for leave to proceed on appeal *in forma pauperis* in the Sixth Circuit Court of Appeals. *Callihan v. Schneider*, 178 F.3d 800, 803 (6th Cir. 1999).

IT IS SO ORDERED.

Dated: August 1, 2023

A handwritten signature in black ink, appearing to read "Jeffrey P. Hopkins", is written over a horizontal line.

Hon. Jeffrey P. Hopkins
United States District Judge